

SURFACE WATER MANAGEMENT IN LOUISIANA

Water
Resources
Commission
Meeting
December
18th, 2014

MULTI-AGENCY PROCESSES

COMMISSION POWERS & DUTIES

- La. R.S. 38, §3097.4 Water Resources Commission's powers and responsibilities regarding Surface Water Resources of the State:
- Evaluate the state's surface water resources including **current and projected demands**,
- **inventory** the state's surface water **supplies**,
- identify **technical research** and previously developed information on surface water,
- identify potential **future deficit areas**,
- **study alternatives** to surface water use including treatment, transmission systems, and reclamation, and
- investigate **incentives for conservation** and the use of alternative technologies, including public education and conservation programs.

TWO PRIMARY ONGOING PROCESSES

- **Coordinating multi-agency responses and comments on surface water use requests**
- **Evaluating and Administering requests for surface water agreements**

**COOPERATIVE
ENDEAVOR
AGREEMENTS FOR
SURFACE WATER
WITHDRAWALS**

APPROVED WITHDRAWALS BY USE

Activity	Number of Agreements	Requested Water Volume (in Gallons)	Percentage of Total
Oil & Gas Drilling	69	3,627,961,667	73.6 %
Pipelines	6	42,684,828	0.9 %
Construction/Dust suppression	3	53,240,000	1.1 %
Water Diversions	1	1,204,000,000	24.4 %
Total	79	4,928,276,495	

NEW LEGISLATION

- **Act 285** by Senator Long amending 30:961(E) Renewed through 2016 the two-year life of the Surface Water Management program.
- State Representative Jeff Thompson introduced **HB 782** to amend the Surface Water Management Act of 2010, La. R.S. 30:961 et seq. adopted as **Act 556** during the 2014 Regular Session

ACT 556 OF 2014

- “The state shall be reimbursed at **fair market value** for all use or withdrawal of running surface water from bodies of water managed by the Department of Wildlife and Fisheries and determined by the office of fisheries to be negatively impacted by invasive aquatic vegetation.”
- “Fair market value as used in this Subsection shall be at a rate of not more than **fifteen cents per thousand gallons**, and shall not include the economic development, employment and increased tax revenues created by the activities associated with the withdrawal of running surface water.”

ACT 556 OF 2014

- The Act requires that payments for water withdrawn from designated lakes/ rivers be made to the **Aquatic Plant Control Fund** (La. R.S. 56:10.1)
- Additionally, this Act requires that funds generated by water withdrawals be used to combat **invasive aquatic vegetation** such as Water Hyacinth, Hydrillia and Giant Salvinia.

ACT 556 OF 2014

- Limits the options for compensation to the state for water withdrawn from certain designated water bodies
- Applies to water withdrawn from bodies of water negatively impacted by invasive aquatic vegetation as designated by the Department of Wildlife and Fisheries Office of Fisheries
- The funds are preferably to be used on the body of water from which the revenues were generated.

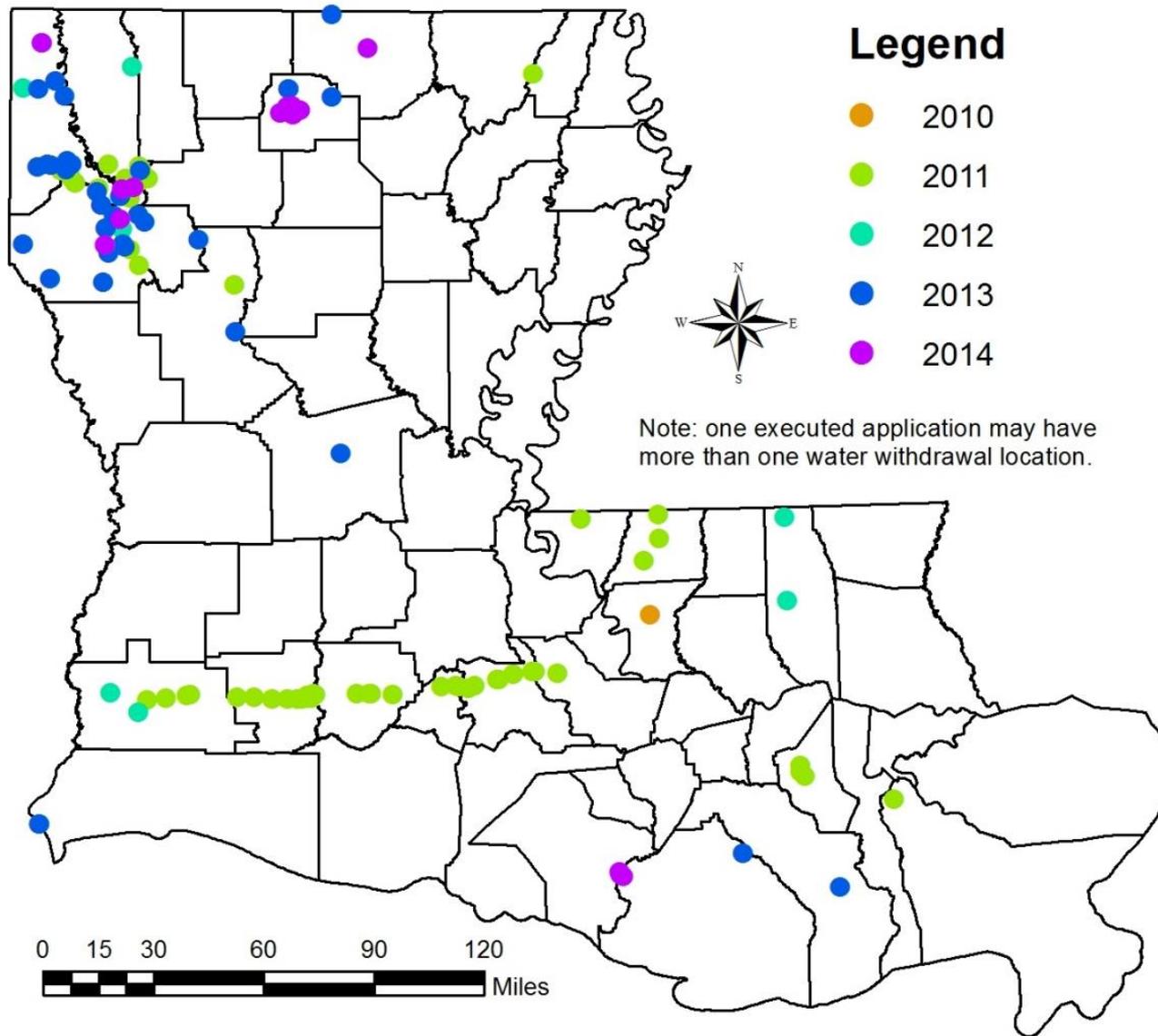
DESIGNATED FOR 2014 AS NEGATIVELY IMPACTED BY INVASIVE VEGETATION

- Lake Bisteneau
- Caddo Lake
- Black/Clear Lakes
- Saline Lake
- Henderson Lake
- Toledo Bend
- Red River
- Turkey Creek Lake
- Black Bayou (in Bossier Parish)
- Cross Lake

SURFACE WATER AGREEMENT TRENDS

Tasks	2010	2011	2012	2013	2014	Total
Application received	10	40	11	42	24	127
Application reviewed	4	34	11	40	23	112
Application withdrawn/returned	6	6	2	2	1	17
CEAs Submitted to Applicant	4	34	10	38	23	103
Executed CEAs	4	28	7	36	18	93
CEAs Executed w/economic report	3	19	1	23	19	65
CEAs Executed w/cash payments	1	9	6	5	4	25
CEAs Executed w/DWF Payment					0	0
Expired	4	28	4	0	0	36
Extended	0	0	0	0	0	0
Volume Requested in Executed CEAs (MM/gallons)	59,860	1,517,743	204,271	2,900,661	1,678,744	6,361,320

WATER AGREEMENT LOCATIONS BY YEAR



**COORDINATING
MULTI-AGENCY
COMMENTING ON
SURFACE WATER USE
REQUESTS**

LEGISLATIVE AUTHORITY DIVIDED AMONG STATE AGENCIES

- To enact its policies, the legislature set up various agencies with differing, but complementary, regulatory authority for water management.
- Coastal Protection (CPRA)
- Natural Resources (DNR)
- Conservation
- Agriculture & Forestry (DAF)
- Environmental Quality (DEQ)
- Health & Hospitals (DHH)
- Wildlife & Fisheries (WLF)
- Transportation (DOTD)
- plus Regional and Local entities, where applicable.

PURPOSES OF 2010 MEMORANDUM OF UNDERSTANDING

- Protect State's Water Resources
- Lend Credence to State Commenting process
- Avoid Duplicated Efforts
- Streamline and Facilitate Government Efficiencies



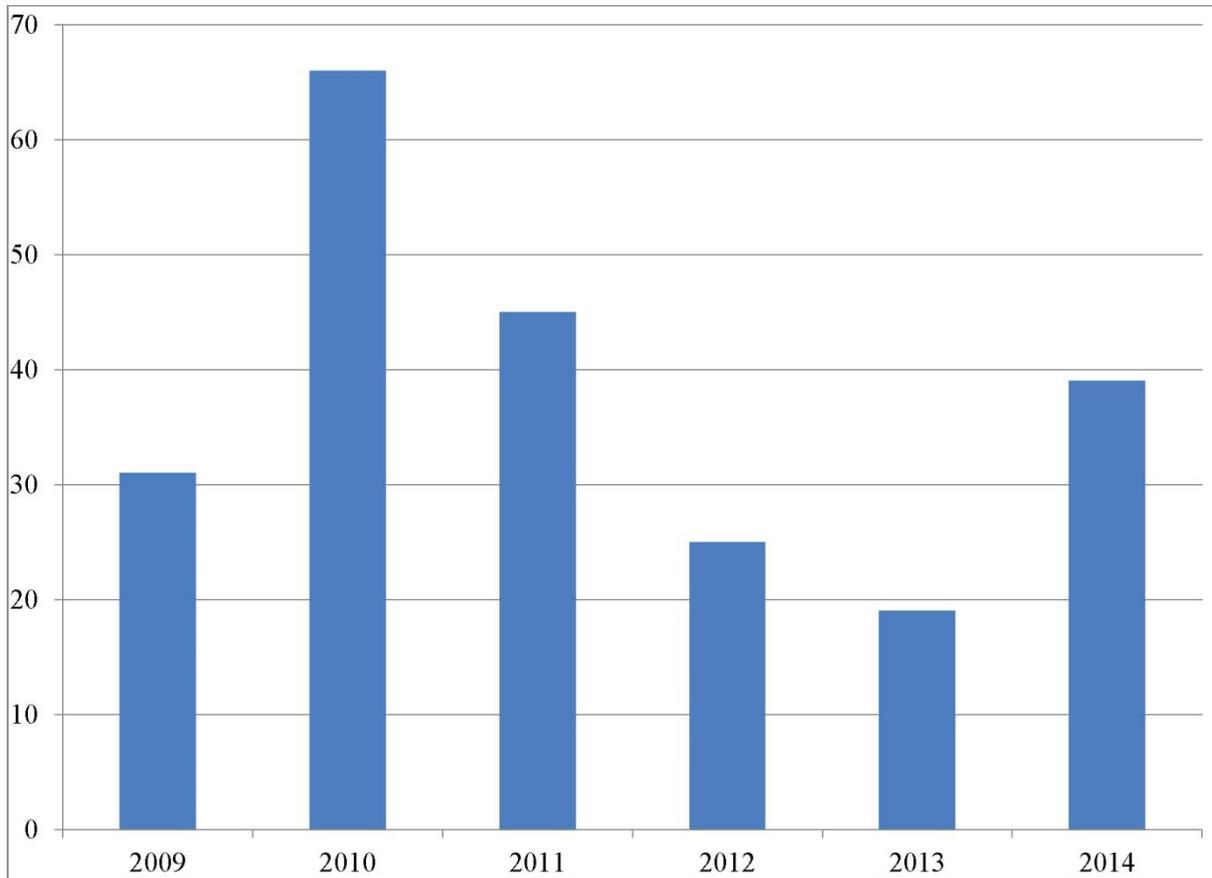
2010 SURFACE WATER MEMORANDUM OF UNDERSTANDING

- Applies to Surface Water Withdrawals and Uses
- Signatory Parties: DNR, DEQ and DWF
- Coordination with other resource agencies, as needed and as applicable.
- DNR charged with responsibility to facilitate coordination

2010 SURFACE WATER MOU

Typical Instances that trigger this coordinating MOU:

- Requests for State Reviews and Comments
- Surface Water Cooperative Endeavor Agreements
- Federal Agency actions
- U.S. Army Corps of Engineers' Section 10 Permit Applications



**FEDERAL
WATER
PERMITS
WHERE
STATE
COMMENTS
REQUESTED**

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